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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	No. CR-11-814 JW
)	
Plaintiff,)	UNOPPOSED MOTION FOR SEVERANCE
)	OF SENTENCING HEARING AND
v.)	RESTITUTION HEARING
)	
ROBIN O'CONNOR)	Sentencing Hearing Date: March 26, 2012
)	Proposed Restitution Hearing Date: May 7,
Defendant.)	2012
)	
_____)	

Defendant Robin O'Connor is scheduled to be sentenced on March 26. Pursuant to the 11(c)(1)(B) plea agreement entered into by the parties, Ms. O'Connor has agreed to pay restitution in the amount of \$1,456,865.60. Plea Agreement at ¶ 9. The probation officer agrees with this restitution amount. PSR ¶ 3. The San Francisco Giants, the victim in this case, disputes this amount and is requesting restitution in the amount of \$1,637,683.60. PSR ¶ 15.

Pursuant to 18 U.S.C. § 3664(d)(5): "If the victim's losses are not ascertainable by the date that is 10 days prior to sentencing . . . the court shall set a date for the final determination of the victim's losses, not to exceed 90 days after sentencing."

Should the Court concur with the restitution amount in the plea agreement that is agreed upon by the government, the defendant, and the probation officer, the parties request that the

1 Court adopt the agreed upon amount of restitution on the date of sentencing.¹ However, should
2 the Court wish to entertain the Giants' request for additional restitution, the defendant requests
3 that the Court go forward with sentencing on March 26 and set a separate date less than 90 days
4 after sentencing for a hearing on restitution. The government does not oppose this request.

5 Should the Court wish to set a hearing, both parties are available on May 7 for a
6 restitution hearing.

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8 DATED: 3/19/12

9 Respectfully submitted,

10 GEOFFREY HANSEN
11 Federal Public Defender

12 /s/

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14 RITA BOSWORTH
15 Assistant Federal Public Defender
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25 ¹As set forth in the Government's Sentencing Memorandum, The Court may wish to
26 defer entering a restitution order for 90 days because the forfeiture process has not been
concluded, and deferring the restitution order will allow the Court to enter restitution in an
amount certain. Gov't Sent. Mem at 3, fn 1.